

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JERMARSH ROBINSON,

Plaintiff,

v.

STATE OF MISSOURI,

Defendant.

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No. 4:15CV809 RLW

MEMORANDUM AND ORDER

Plaintiff seeks leave to proceed in forma pauperis in this civil action under 42 U.S.C. § 1983. The motion is granted.

Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed in forma pauperis if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. To state a claim for relief under § 1983, a complaint must plead more than “legal conclusions” and “[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements.” *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a “mere possibility of misconduct.”

Plaintiff alleges that while he was detained at the St. Louis County Justice Center a correctional officer slammed his head “into concrete glass, and steel around 30 times.” He claims that he suffered a concussion that lasted for months. He seeks \$500 trillion in damages.

Title 42 U.S.C. § 1983 imposes liability on “persons.” The State of Missouri is not a “person” for the purposes of § 1983. *E.g., Will v. Michigan Dep’t of State Police*, 491 U.S. 58, 71 (1989). As a result, the complaint is legally frivolous.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 4th day of June, 2015.

A handwritten signature in black ink, reading "Ronnie L. White", written over a horizontal line.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE